

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ROSALIND SMITH,

Plaintiff,

v.

WELLS FARGO BANK, N.A.; WELLS
FARGO HOME MORTGAGE; EAGLE
HOME MORTGAGE; DOES ONE TO
TWENTY, INCLUSIVE,

Defendants.

No. CV-11-5533-RBL

ORDER GRANTING DEFENDANT
EAGLE HOME MORTGAGE, LLC'S
MOTION TO DISMISS THE
COMPLAINT PURSUANT TO FED. R.
CIV. P. 12(b)(6)

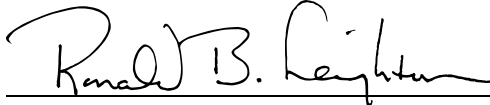
This matter comes before the Court on Defendant Eagle Home Mortgage, LLC's Motion to Dismiss the Complaint Pursuant to Fed. R. Civ. P. 12(b)(6) [Dkt. #17]. Plaintiff has not responded to the motion. The Court having reviewed the records and files herein, hereby states as follows:

Plaintiff's Complaint states bald allegations with no factual support and does not raise intelligible claims. Even assuming that Plaintiff's conclusory accusations were proper, however, Eagle is statutorily exempt from Plaintiff's TILA and FDCPA claims. Because all of Plaintiff's claims are based on these alleged violations, the rest of Plaintiff's claims must fail as well.

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

2 Defendant Eagle Home Mortgage, LLC's Motion to Dismiss [Dkt. #17] pursuant to
3 Fed. R. Civ. P. 12(b)(6) is hereby **GRANTED**. Plaintiff's claims against Eagle Home
4 Mortgage, LLC are dismissed with prejudice, and without leave to amend.

5 DATED this 19th day of October, 2011.

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8 RONALD B. LEIGHTON
9 UNITED STATES DISTRICT JUDGE
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